

ORDINANCE NO. 96 -6

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE 2010 FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 80 BY CHANGING A 2.75 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE NORTHWEST CORNER OF LANTANA ROAD AND STATE ROAD 7, FROM LOW RESIDENTIAL 1 (LR-1) TO COMMERCIAL LOW (CL); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing ; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on March 24, 1995, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to

Chapter 163, Part II, Florida Statutes at the conclusion of the public hearing; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 27, May 25, June 22, 1995, and January 5, 1996, to review the recommendation of the Local Planning Agency; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

An Amendment to the Land Use Element's Future Land Use Atlas of the Palm Beach County 1989 Comprehensive Plan, is hereby adopted as follows:

A. Future Land Use Atlas page 80 is amended as follows:

Application No.: SCA 95-3

Amendment: From 2.75 acres of Low Residential 1 (LR-1) to Commercial Low with an underlying Low Residential 1 (CL/1).

General Location: Northwest corner of the intersection of Lantana Road and State Road 7.

Size: 2.75 acres

B. A map depicting the amendment is attached to this ordinance as Exhibit 1.

1 Part II. Effective Date

2 This amendment shall not become effective until 31 days
3 after adoption. If challenged within 30 days after adoption,
4 this amendment shall not become effective until the state land
5 planning agency or the Administration Commission, respectively,
6 issues a final order determining the amendment is in compliance.

7 **APPROVED AND ADOPTED** by the Board of County Commissioners of
8 Palm Beach County, on the 25 day of January, 1996.

9 DOROTHY H. WILKEN

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

10 By: *Joan Haworth* By: *Ken Foster*
11 Deputy Clerk Chair
12 Chair

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20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY

22 *Arthur B...*
23
24 COUNTY ATTORNEY

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27 Filed with the Department of State on the 6th day of
28 February, 1996.

29 I:\COMMON\PLANNING\CURRENT\AMEND\SCA\ORDFORM.953
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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 1/25/96
DATED at West Palm Beach, FL on 2/16/96
DOROTHY H. WILKEN, Clerk
By: *Phyllis A. House* D.C.

County Library
Serials Dept

**ORDINANCE
ENCLOSED**

